

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JAMARIOAN MCCLUNG,
Minor.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
October 5, 2006

Petitioner-Appellee,

v

JAMILA SHANI MCCLUNG,

Respondent-Appellant,

and

DENNIS BINSLEYOR,

Respondent.

No. 268478
Wayne Circuit Court
Family Division
LC No. 03-419160-NA

Before: Borrello, P.J., and Jansen and Cooper, JJ.

MEMORANDUM.

Respondent-appellant, Jamila Shani McClung, appeals as of right from the trial court's order terminating her parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (g), (i), and (j). We affirm.

Respondent-appellant argues that the trial court clearly erred in finding a statutory ground for termination established by clear and convincing evidence. We disagree. The minor child at issue in this case was respondent-appellant's fourth child. The evidence showed that respondent-appellant, who was 26 years old at the time her parental rights were terminated, had a long history of substance abuse dating back to her early teens. At the time of Jamarioan's birth, he tested positive for marijuana and cocaine in his system. Respondent-appellant, similarly, tested positive for illegal drugs. Respondent-appellant admitted that she used marijuana during her pregnancy with the minor child in this case and that she did not receive prenatal care. Further, there was no evidence that respondent-appellant had made any preparations for bringing a newborn home. After Jamarioan was removed from the hospital and placed with his maternal grandmother, respondent-appellant made no effort to emotionally, physically, or financially support her son. Respondent-appellant did not contact petitioner to ascertain her son's well-

being nor did she contact her attorney. She attended only one court hearing and was not present at the time of the termination hearing. Respondent-appellant's parental rights to her three oldest children were terminated six months before Jamarion's birth. One of those children tested positive for drugs at birth, and the three children came into care after a drug raid of respondent-appellant's home yielded drug contraband and an unregistered gun. In addition, respondent-appellant lacked suitable housing and employment at the time of the termination hearing at issue in this appeal. Under the circumstances, the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999).

Further, the evidence failed to show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5). *In re Trejo*, 462 Mich 341, 356; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Stephen L. Borrello
/s/ Kathleen Jansen
/s/ Jessica R. Cooper